

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
OCTOBER 11, 2005**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, October 11, 2005 in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Mayor William J. Schmitt who presided called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	present
Board member Victor J. Knies	present
Board member Thomas R. Schmidt	present

Also present were Police Chief Richard Gunselman, City Engineer Chad Hurm, Street Commissioner Raymond Eckerle, Building Commissioner David Seger, Personnel/Safety Director Charles Schneider, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein and Clerk-Treasurer Juanita Boehm.

Clerk-Treasurer Juanita Boehm announced that a majority of the board members must be present for a quorum. All three of the board members were present; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all present to join him in the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on September 29, 2005. A **motion** was made by Thomas Schmidt and seconded by Victor Knies to approve the minutes as presented. Motion carried 3-0.

EQUIPMENT – FIRE DEPARTMENT

City Attorney Sandra Hemmerlein opened and publicly read the following sealed bid for 28 breathing apparatus and 2 Rapid Intervention Team (RIT) kits for the fire department. She said that a “Notice to Bidders” had been published and that only one bid had been received. The bid included a non-collusion affidavit and bid bond.

M & S Fire & Safety, Inc.

<u>Item</u>	<u>Price</u>	<u>Total</u>
28 Survivair Panther SCBA,		
Mightylite Backpack	\$3,315.35 ea.	\$92,829.80
28 Spare Carbon Cylinders		NC
28 Smoke Eaters		NC
1 Pathfinder Tracker	\$ 474.75 ea.	\$ 474.75
28 Pathfinder Kits	\$ 557.00 ea.	\$15,596.00
6 Pathfinder Kits		
(to be installed on existing kits)	\$ 569.50 ea.	\$ 3,417.00
2 Survivair RIT Kits	\$2,319.34 ea.	\$ 4,638.68

Option:

1 Carry Case for SCBA, \$68.25 ea. [not included in total]		
1 Pack Smoke Sim, Light	\$ 59.15 ea.	\$ 59.15
1 Pack Smoke Sim, Medium	\$ 59.15 ea.	\$ 59.15
1 Pack Smoke Sim, Dark	\$ 59.15 ea.	\$ <u>59.15</u>
		\$117,133.18
	Less 2% discount	\$ <u>2,342.66</u>
		\$114,790.52

Fire Chief Kenneth Hochgesang reported that the fire department had been awarded a grant for \$109,060.00 from Federal Emergency Management (FEMA) to be used for purchasing air packs and Rapid Intervention Team (RIT) kits. He explained that the grant requires a 5% match, which would be \$5,543. He clarified that some of the items would have to be deleted in order to keep the price of the equipment under the grant amount. Clerk-Treasurer Boehm commented that some of the items in the bid had not been included in the Notice to Bidders.

On **motion** by Mayor Schmitt and seconded by Victor Knies, approval was given to take the bid from M & S Fire and Safety under advisement and have the fire chief and his group review the bid and see if it meets specifications and report back at the next Board of Public Works and Safety meeting. Motion passed 3-0.

SURPLUS ITEMS – FIRE DEPARTMENT

Fire Chief Kenneth Hochgesang requested that the 1974 Ford fire truck, that was no longer in use, be declared as surplus and placed in the City Auction. He said no local fire departments were interested in the fire truck. Mayor Schmitt stated that the fire truck had been offered to Jasper, Texas, because they were victims of Hurricane Rita, but that no word had been received back from their fire department.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to declare the 1974 Ford fire truck as surplus and place in the City Auction. Motion passed 3-0.

NATIONAL FIRE PREVENTION WEEK

Fire Chief Kenneth Hochgesang announced that the week of October 9-16 is National Fire Prevention Week and that members of the fire department would be visiting the Jasper schools this week

OPEN BURN – SECOND AVENUE AREA

Joe Bruggenschmidt, 405 W. 9th Street, requested permission to hold an open burn in order to burn old trees and storm-damaged trees on his property in the 2nd Avenue area. Mr. Bruggenschmidt said he had contacted Indiana Department of Environmental Management (IDEM) and they faxed to him the IDEM Fact Sheet on Open Burning. He said IDEM had advised him to contact his local authorities. Thomas Schmidt asked how much waste Mr. Bruggenschmidt would be burning at a time. Mr. Bruggenschmidt responded that he would burn in small amounts at different times during the winter. Mayor Schmitt advised Mr. Bruggenschmidt to comply with all Federal and State laws and to notify the fire and police departments the day before he has a burn.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, permission was given to Joe Bruggenschmidt to hold an open burn on his property on 2nd Avenue with the following conditions:

Burning may not create a fire hazard or nuisance

Burning must be attended at all times

Burning may not be conducted during unfavorable weather conditions such as high winds blowing towards populated areas, during times of air stagnation and in areas where air pollution alerts are in effect.

Burning must comply with all other federal and state laws

The Jasper Police and Fire Departments must be notified the day before the burn.

Burning must be limited to the hours between 10 a.m. and 7 p.m.

Motion passed 3-0.

DEER POPULATION

Joe Bruggenschmidt, 405 W. 9th Street stated that he was concerned about the growing deer population in the 2nd Avenue area and the traffic problems they could cause. He asked if the Board of Public Works and Safety had any solutions. Mayor Schmitt suggested Mr. Bruggenschmidt contact the Department of Natural Resources.

GERMAN AMERICAN BANK RENOVATIONS

Leonard Spellmeyer, property manager for German American Bank (GAB), reported that GAB recently purchased the Knights of Columbus (K of C) building on Main Street and is planning some exterior renovation to that building. Spellmeyer said part of the renovation includes removing the vestibule on Main Street and replacing it with a canopy. Spellmeyer requested blocking off the sidewalk in front of the building and the alleys located behind and south of the building. Mayor Schmitt advised Mr. Spellmeyer to contact the street department for barricades. Mr. Spellmeyer also asked if GAB could be given a pass/permit for a few parking spaces for construction trucks. Mayor Schmitt responded that it would only be for construction vehicles, and not for private construction workers' vehicles.

On **motion** by Mayor Schmitt and seconded by Victor Knies, permission was given to German American Bank, and to whoever does their construction work, to block off the sidewalk in front of the building and the alleys beside and behind the building commencing on Wednesday, October 12, 2005 until the renovation is completed and allow them to use the parking spaces in front of the K of C for construction vehicles. Motion passed 3-0.

Leonard Spellmeyer, property manager for GAB, stated that the bank was planning to remove the vestibule on the K of C building and replace it with a canopy, which would use the same area of space as the former vestibule, and that the canopy would encroach on the public right-of-way. He sought permission for that encroachment.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, permission was given to German American Bank to come out with a canopy, approximately the same size as the vestibule that they are removing and stay at least 8 feet off the sidewalk. Motion passed 3-0.

Leonard Spellmeyer, property manager for GAB, requested permission

to encroach 1' 7" into the public right-of-way when erecting a 40' parapet on three sides of the existing K of C building. He said the parapet would have a width of 8' 6" and would be 30' from the ground.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, permission was given to the German American Bank to encroach 1' 7" into the public right-of-way when constructing their 40' parapet on three sides of the existing Knights of Columbus building. Motion passed 3-0.

Leonard Spellmeyer, property manager for GAB, requested permission to bore under 8th Street from the bank to the K of C building in order to install a fiber optic cable. City Attorney Sandra Hemmerlein stated that the City would require an indemnification agreement and read the requirements for the agreement. Hemmerlein asked German American Bank to supply an exhibit detailing where the actual bore would be and that this exhibit would be attached to the agreement. Building Commissioner David Seger informed Mr. Spellmeyer that a street cutting permit would also be required.

On **motion** by Victor Knies and seconded by Thomas Schmidt, permission was given to German American Bank to enter into an agreement for installing an underground cable subject to the conditions as given, which includes signing an agreement such as has been used in the past and applying for all permits, such as a street cutting permit. Motion passed 3-0.

Leonard Spellmeyer, property manager for GAB, requested permission to utilize one parking space on 8th Street during construction.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, permission was given to German American Bank to utilize one parking space on 8th Street during construction in order to access their parking lot. Motion passed 3-0.

REPLAT – KIMBALL INDUSTRIAL PARK

Dave Mills, representative of Kimball International, requested approval of a plat known as the Second Re-plat of Lot 1 of Kimball Industrial Park. Mr. Mills presented a map of the area.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the plat known as the Second Re-plat of Lot 1 of Kimball Industrial Park. Motion passed 3-0.

HIGH WEED COMPLAINTS

Street Commissioner Raymie Eckerle reported for publication the names of property owners that had been cited under section 5.12.040, weed removal/ notice. The names and property locations receiving notice since the last meeting were as follows:

<u>Owner</u>	<u>Location of Lot</u>
Matthew Potts Test Trust	Lot 68, 303 E. 8 th St.
Life Est. Mary Heberer	Algonquin Valley, 2 nd Addn., Lot 1
Chad & Julie Painter	Part of lots 51 & 52, 507 E. 15 th St.
Mark & Laura Williams	

Timothy & Cheryl Harmon
Kris & Tacy Erwin
Robert & Belinda Alvey

426 W. 7th St.
480 3rd Ave.
117 Oakmont Ct., 2nd Notice

SURPLUS ITEMS – STREET DEPARTMENT

Street Commissioner Raymond Eckerle requested that a Ford 5900 tractor and an asphalt roller be transferred to the Park and Recreation Department.

A **motion** as made by Mayor Schmitt and seconded by Thomas Schmidt to transfer the Ford 5900 Tractor and the asphalt roller to the Park and Recreation Department. Motion passed 3-0.

Street Commissioner Raymond Eckerle presented a list of items for the City Auction and requested that the items be declared surplus.

On **motion** by Mayor Schmitt and seconded by Victor Knies, the list of items presented by the street department were deemed surplus property and allowed to be placed in the City Auction to be held on October 15, 2005. Motion passed 3-0.

WAL-MART ACCESS ROAD

Street Commissioner Eckerle reported that the street department has received many calls from citizens concerning the condition of the access and frontage roads into the Wal-Mart Shopping Area. He asked that the public be informed that this is not a city street, but a private access road.

TEMPORARY CLOSURE OF ALLEY

Street Commissioner Eckerle requested that the alley between 5th Street and the southwest corner of the Square by the old Astra Theater be closed during removal of the old concrete and paving material and installation of new concrete. He said no specific date has been set.

On **motion** by Mayor Schmitt and seconded by Victor Knies, approval was granted to the Street Department to temporarily close the alley between 5th Street and the Square, by the old Astra Theater building, whenever it works into their schedule. Motion passed 3-0.

DRAINAGE SWALE – GOLDEN ACRES

Street Commissioner Eckerle reported that the temporary drainage basin that was constructed when Golden Acres subdivision was built has not been removed. Eckerle sought permission to proceed with a plan to remove the trees and construct a drainage swale between Truman Road and the Orchard Acres. He said it is on City right-of-way and the property owners want to claim their backyards. Mayor Schmitt asked why the developer would not do this and Eckerle responded that the performance bonds have been released. Both Mayor Schmitt and Victor Knies advised Street Commissioner Eckerle to work out the details.

INDOT MEETING

Street Commissioner Eckerle reported that he had attended the Indiana Department of Transportation (INDOT) district meeting in Vincennes last week. He said the meeting concerned the district major moves and funding and plans from 2006-2015. He said that the first two phases of the Highway 231 by-pass is planned for

2014-2015. He also stated that there is a possibility that US 231 through Jasper may be re-built.

ARTIST STUDIO SALE -TRAIN DEPOT

Darla Blazey, Arts Department Director, requested use of the train depot during O'Tannenbaum Days, December 2 through December 4, 2005, for an Artist Studio Sale. She said between six and twelve local artists would participate.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, permission was given to utilize the train depot for an Artist Studio Sale on December 2 through December 4, 2005. Motion passed 3-0.

SURPLUS ITEMS – POLICE DEPARTMENT

Police Chief Richard Gunselman presented a list of items and asked that the items be declared surplus and placed in the City Auction. He also requested that the Kodak Slide Projector be transferred to the Arts Department. The Police Chief also asked permission to destroy seven items that are no longer usable.

On **motion** by Mayor Schmitt and seconded by Victor Knies, approval was given to declare the list of items from the police department as surplus and place in the City Auction, deem the Kodak Slide Projector as surplus and transfer to the Arts Department, and destroy the seven items that are no longer usable. Motion passed 3-0.

TACTICAL VEST SWAP

Police Chief Gunselman requested permission to swap a tactical vest with the Huntingburg Police Department. He explained that the Jasper department has a large tactical vest that is no longer in use and that the Huntingburg department would like that size vest for one of its officers in exchange for another vest. He said both vests were purchased last year and it would be an even trade, vest for vest.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, permission was given to the police department to trade a tactical vest with the Huntingburg Police Department. Motion passed 3-0.

TRAFFIC AUXILIARY OFFICERS

Police Chief Richard Gunselman recommended that the following persons be offered a conditional offer of employment as traffic safety auxiliary officers: Rebecca Schmitt, Terry Schwartz, Jeremy Burger, Justin Jackson and Keith Keller.

A **motion** was made by Mayor Schmitt and seconded by Victor Knies to approve the list of five individuals just read by the chief and make them a conditional offer of employment. Motion passed 3-0.

HANDGUNS

Police Chief Gunselman reported that Glock, a gun manufacturer, recommends that handguns ten years or older should have sights replaced, and that the police department has 21 guns over ten years old. He stated that the manufacturer has also recommended replacing 60 magazines on those guns. The Police Chief presented the following quote:

Glock Replacement Parts.

Trijicon 3-dot night sights - \$75.00 per set
21 guns times \$75.00 = \$1,575.00

Magazines @ \$15.00 each.

60 mags times \$15.00 = \$900.00

\$1,575.00 plus \$900.00 = \$2,475.00

New Glock Model 22 handguns from Kiesler Police Supply

\$409.00 each gun times 21 guns = \$8,589.00

290.00 credit per traded each gun = \$6,090.00 -
\$2,499.00

Plus additional magazines \$5.00 times 21 = \$ 105.00 +
\$2,604.00

New guns versus replacement parts

New guns \$2,604.00 minus replacement parts \$2,475.00 = \$129.00

Police Chief Gunselman requested purchasing twenty-one new guns because there is only a \$129.00 price difference between new guns and replacement parts for old guns. He stated that Kiesler Police Supply can sell the guns to police departments cheaper than the manufacturer.

On **motion** by Victor Knies and seconded by Thomas Schmidt, permission was given to the police department to purchase twenty-one new Glock guns from Kiesler Police Supply for a total of \$2,604.00. Motion passed 3-0.

TECHNOLOGY TRANSFER PROGRAM

Police Chief Gunselman reported that the police department had received a self-contained automated video surveillance system from the Federal Government's Technology Transfer Program. He said the value of the item is \$14,000.00 and would be used for technology use and training. He explained that police departments are allowed to apply for one piece of technical equipment each year.

POLICE REPORTS

Police Chief Richard Gunselman presented to the board for its review the following report:

Jasper Police Department September Activity Report

STOP SIGNS

City Engineer Chad Hurm presented an engineering study and recommended stop signs for the following intersections:

One-way stop on Carter Blvd. at Carter Blvd. and Meridian Rd.

One-way stop on Eastbound St. James Ave. at St. James Ave. and Liberty St.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the study by the Engineering Department and place stop signs as dictated by his letter and recommend to the Council to place stop signs at these locations. Motion passed 3-0.

NO PARKING

City Engineer Chad Hurm presented an engineering study regarding parking on 12th Avenue between Kimball Blvd. and Old Huntingburg Road. Hurm recommended that there be no parking on both the north and south sides of 12th Avenue between Kimball Blvd. and Old Huntingburg Road.

A **motion** was made by Mayor Schmitt and seconded by Victor Knies to recommend to the Council to eliminate parking on both sides of 12th Avenue between Kimball Blvd. and Old Huntingburg Road. Motion passed 3-0.

Opening of New 12th Avenue. City Engineer Hurm said the construction of 12th Avenue is completed and asked the Board to open the road to traffic. During discussion, Street Commissioner Raymond Eckerle reported that the contractor had done some damage to the surface in some places. Since the balance of the contract retainage has not been released, Mayor Schmitt recommended holding off on opening the road until a later meeting so the engineer can meet with the contractor.

ITEM FOR AUCTION FROM LEGAL DEPARTMENT

City Attorney Sandra Hemmerlein requested that the LexMark Z 52 Color Inkjet Printer and Ink from the Legal Department be declared as surplus and placed in the City Auction.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, the LexMark Z 52 Color Inkjet Printer and Ink from the Legal Department were declared surplus and placed in the City Auction. Motion passed 3-0.

CLAIMS

Claims against the City from September 8, 2005 through October 6, 2005 were presented and examined by the board. Those claims found to be just, due, and owing were approved upon **motion** by Thomas Schmidt and seconded by Victor Knies. Motion carried 3-0.

ADJOURNMENT

There being no further business to come before the board, a **motion** was made by Victor Knies and seconded by Thomas Schmidt to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:40 a.m.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Cynthia Kluemper, Recording Secretary